

REMARKS

Claims 1-14 are pending in the present application. No claims were canceled, or added. Claims 1, 4, 6, 7, and 9-14 were amended. Reconsideration of the claims is respectfully requested.

Claims 1, 4, 6, 7, and 9-14 were amended to change “user id” to “user ID”, as required by the Examiner.

Amendments were made to the specification to correct errors and to clarify the specification. No new matter has been added by any of the amendments to the specification.

Also, Applicants have submitted formal drawings labeled Figures 1-6 to replace the hand drawn drawings on file, as suggested by the Office Action.

I. 35 U.S.C. § 103, Obviousness

The Office Action has rejected claims 1-14 under 35 U.S.C. § 103(a) as being unpatentable over Kumhyr (US2003/0041251) in view of Barret et al. This rejection is respectfully traversed.

Kumhyr is not prior art with respect to this application because the exception provided in 35 USC § 103(c) applies. Kumhyr, which issued on February 27, 2003, and was filed on August 23, 2001, only qualifies as prior art under U.S.C. § 102 (e) with respect to this application, which was filed January 7, 2002. At the time of filing the inventor of this application was under an obligation to assign this application to the same entity to which Kumhyr is assigned: International Business Machines Corporation. MPEP § 706.02(k) provides in part that:

Effective November 29, 1999, subject matter which was prior art under former 35 U.S.C. 103 via 35 U.S.C. 102(e) is now disqualified as prior art against the claimed invention if that subject matter and the claimed invention “were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.” This change to 35 U.S.C. 103(c) applies to all utility, design and plant patent applications filed on or after November 29, 1999, including continuing applications filed under 37 CFR 1.53(d), and reissues.

Because this application was filed after November 29, 1999, the provisions of 35 USC § 103(c) apply, which provides in part that:

(c)(1) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

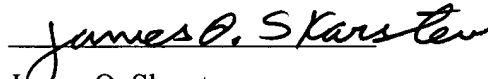
Therefore, Kumhyr is not prior art with respect to this application. Accordingly, the rejection is moot. Hence, the rejection of claims 1-14 under 35 U.S.C. § 103 has been overcome.

II. Conclusion

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,


James O. Skarsten
Reg. No. 28,346
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Attorney for Applicants

JOS/BJ